

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4270 OF 2004
IN
FIRST APPEAL NO.111 OF 2005**

Hindusthan Petroleum Corporation Ltd. ..Applicant

V/s.

Babruwahan Dharma Koshti & ors. ..Respondents

Mr.Rohan i/b. M/s.Rustamji & Ginwala for the
applicant

[Mr.A.P.Kulkarni](#) for the respondent Nos.1 to 4
[Mr.A.R.Patil](#), AGP for the respondent No.5

WITH

**CIVIL APPLICATION NO.4273 OF 2004
IN
FIRST APPEAL NO.112 OF 2005**

Hindusthan Petroleum Corporation Ltd. ..Applicant

V/s.

Dyaneshwar Dharma Koshti & ors. ..Respondents

Mr.Rohan i/b. M/s.Rustamji & Ginwala for the
applicant

[Mr.A.P.Kulkarni](#), advocate for the respondent Nos.1
to 4
[Mr.A.R.Patil](#), AGP for the respondent No.5

WITH

**CIVIL APPLICATION NO.4275 OF 2004
IN
FIRST APPEAL NO.113 OF 2005**

Hindusthan Petroleum Corporation Ltd. ..Applicant

V/s.

Narayan Vithoba Koshti (Decd.) by Lrs...Respondents
Jotiram N. Koshti & Ors.

Mr.Rohan i/b. M/s.Rustamji & Ginwala for the
applicant

Mr.A.P.Kulkarni, advocate for the respondent No.1

Mr.A.R.Patil, AGP for the respondent No.2

WITH

CIVIL APPLICATION NO.4277 OF 2004

IN

FIRST APPEAL NO.114 OF 2005

Hindusthan Petroleum Corporation Ltd. ..Applicant

V/s.

Vijaya Harishchandra Gavali & Ors. ..Respondents

Mr.Rohan i/b. M/s.Rustamji & Ginwala for the
applicant

Mr.A.P.Kulkarni, advocate for the respondent Nos.1
and 2

Mr.A.R.Patil, AGP for the respondent No.3

WITH

CIVIL APPLICATION NO.4279 OF 2004

IN

FIRST APPEAL NO.115 OF 2005

Hindusthan Petroleum Corporation Ltd. ..Applicant

V/s.

Bhagvat Vithoba Koshti & Ors. ..Respondents

Mr.Rohan i/b.M/s.Rustamji & Ginwala for the
applicant

Mr.A.P.Kulkarni, advocate for the respondent No.1

Mr.A.R.Patil, AGP for the respondent No.2

WITH

**CIVIL APPLICATION NO.4281 OF 2004
IN
FIRST APPEAL NO.116 OF 2005**

Hindusthan Petroleum Corporation Ltd. ..Applicant

V/s.

Vishwanath Dharma Koshti & Ors. ..Respondents

Mr.Rohan i/b.M/s.Rustamji & Ginwala for the
applicant

Mr.A.P.Kulkarni, advocate for the respondent Nos.1
to 4

Mr.A.R.Patil, AGP for the respondent No.5

CORAM : A.S.OKA, J.

DATE : 19TH JANUARY, 2007

P.C.

1. Heard learned counsel appearing for the Applicant. The earlier order dated 18th November, 2005 discloses that entire decretal amount has been deposited by the Applicant in this Court. The challenge in the Appeals is to the Award passed under Section 18 of the Land Acquisition Act, 1894.

The Applicant is acquiring body for whose benefit the land was acquired under the Land Acquisition Act, 1894. The amount deposited by the Applicant will have to be permitted to be withdrawn by the original Claimant subject to furnishing security. The Application is allowed by passing the following order.

O R D E R

I. The original Claimants will be entitled to withdraw the amount deposited by the Applicant in this Court subject to furnishing adequate security to the satisfaction of Registrar (Judicial-I) of this Court. Before accepting security learned Registrar (Judicial-I) will hear the Applicant.

II. If the amount deposited by the Applicant is not withdrawn by the Claimant within a period of six months from today, the said amount shall be invested in Fixed Deposit in any Nationalized Bank initially for a period of three years and thereafter, Fixed Deposit shall be renewed from year to year till final disposal of the Appeal. No order as to costs.

(A.S.OKA, J.)